

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/772,136
Applicant : McCann, Richard J.
Filed : February 4, 2004
TC/AU : 3724
Examiner : Landrum, Edward L.

Confirmation No. 4260

Docket No. : 104841.1
Customer No. : 23828

DECLARATION

1. My name is Charles Q. Cutshaw
2. I am a journalist specializing in technical analysis of firearms and knives.
3. My have been evaluating firearms and knives for at least five years.
4. My training is technical intelligence in the analysis of infantry weapons of all types, including firearms, ammunition and edged weapons.
5. My formal education and training in this field is MS in Strategic Intelligence and 20 + years experience with the US Government evaluating firearms, ammunition and edged weapons.
6. I am very familiar with others' designs of folding, locking knives, all of which use some form of leaf or coil spring to bias a member into position to lock the blade.
7. Bending springs, whether leaf or coil, made of metal or any other material are susceptible to fatigue and/or breakage, which can result in mechanical failure.
8. I am familiar with the design and operation of a gas spring in the form of a sealed piston/cylinder unit and have been for many years.

9. I am familiar with Richard McCann's locking, folding knife design. It includes a handle, a movable blade, a latch member, and a gas spring. The gas spring includes a movable wall (piston) that partially defines a substantially sealed, variable volume chamber (cylinder) containing a gas and the movement of the latch member causes the movable wall to reduce the volume of the chamber, thereby compressing the gas to create spring force against the latch member.

10. In my opinion, based on my experience with evaluating knives, McCann's design using this gas spring is unique and, although appearing very simple in hindsight, it is not an obvious combination of known parts to my knowledge and belief.

11. Despite the common knowledge of a retractable bolt knife design for at least 20 years, the known limitations of metal springs, and the general knowledge of gas springs, I am not aware of anyone, prior to Richard McCann's doing so, who has substituted a gas spring into this common knife design in order to overcome this known shortcoming.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, declares that the facts set forth above are true; all statements made of my own knowledge are true; and all statements made on information and belief are believed to be true.

Date: 12 June 2006

A handwritten signature in black ink, appearing to read 'Charles Q. Cutshaw', written over a horizontal line.

Charles Q. Cutshaw

05-03-06

S-T-A-T-E-M-E-N-T

This statement is in support of the McCann Industries unique blade locking mechanism.

I have been a Contributing Editor to Tactical Knives magazine for over 10 years and have written approximately 100 knife articles. As well as the actual knives I have written about I have weekly contact with other knife writers who discuss with me the knives they are writing about. In addition I have attended numerous knife shows and am well familiar with the folding knives of the industry giants such as Spyderco, Benchmade, Gerber, Camillus Kershaw, and Ontario Knife companies. I have been a knife collector for over 40 years and have numerous knives in my personal collection.

At no time in the past 40 years, or during my 10 years as a knife writer have I seen a locking mechanism for a folding blade knife that in anyway resembles the McCann Industries locking system. In my opinion this locking system is unique and unlike any other locking system that I have knowledge off.

Sincerely,

A handwritten signature in cursive script that reads "John A. Larsen".

JOHN A. LARSEN
818 Glen Oaks Dr E
Spanaway, WA 98387-7974
(253) 846-1675
johnalarsen@aol.com

15 May 06


To: Richard McCann
Fm: Kim Breed

Subject: New folder

Richard,
In 15 years of testing and evaluations for Blade Magazine I have never seen a design like yours. It takes all of the worry of having a spring failure on a knife away. I really like the idea of using brass in the piston. This will stop the corrosive effect of rusting that plagues other knives that use traditional spring material.

I would really like to do an article in Blade Magazine on this knife. I know that knife users worldwide would be interested in it. They are tired of having to send their knives back for coil or leaf spring breakage. Keep up the great work and I look forward to future correspondence.

Best wishes;


Kim Breed
Field Editor
Blade Magazine

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